

First Round to DA

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Court Gives Garrison Green Light for Trial

NEW ORLEANS, March 18 (UP) — Dist. Atty. Jim Garrison, fresh from a first round victory was expected today to begin proceedings to try Clay L. Shaw on charges of conspiring to assassinate President Kennedy.

A three-judge panel ruled yesterday that Mr. Garrison has enough evidence to warrant trying Mr. Shaw.

Mr. Garrison can either seek a grand jury indictment against Mr. Shaw or file a bill of information against him. He indicated he would file the bill.

Mr. Garrison's victory in the four-day preliminary hearing came after he produced two major witnesses:

- **Perry R. Russo**, a Baton Rouge insurance salesman who testified that Mr. Shaw, Lee Harvey Oswald and pilot Dave Ferrie conspired in 1963 to assassinate the President;

- **Vernon Bundy**, 29, a former narcotics figure who said he saw Mr. Shaw handing Oswald a roll of bills on the New Orleans lakefront in the summer of 1963.

There was much debate whether the testimony of Mr.



WILLIAM BUNDY

Bundy and Mr. Russo would be sufficient to convict Mr. Shaw in a jury trial, but a Garrison assistant pointed out last night the state did not have to show all of its evidence in the preliminary hearing before the three judges.

"We tried to make it clear from the outset that the State of Louisiana did not have to put all of its evidence on the stand," said James Alcock. "All we had to do was to put out enough to show probable cause."

Mr. Alcock declared to say whether Mr. Russo and Mr. Bundy were the state's best witnesses.

"I'm not going to comment on that because that essentially would be telling you what we have in reserve," he said.

Mr. Alcock said he doubted the Warren report, which held that Oswald acted alone in the assassination, would be Shaw trial. Judges conducting the preliminary hearing refused defense motions to introduce first the entire 26-volume report and later the report summary.

"If they didn't admit it in a preliminary hearing, where the rules of evidence are rather loose, I'd certainly doubt they'd

admit it in a trial where the rules are more strictly adhered to," Mr. Alcock said.

Judge Matthew Braniff said he understodd the Warren report was "loaded with hearsay."

The judges did not by their ruling order a trial for Mr. Shaw. They said they found "sufficient evidence has been presented to establish probable cause that a crime has been committed." They ordered him held for "further steps of the criminal process."

The 54-year-old Shaw reacted calmly to the reading of the order.

Defense Attorney William Wegmann told the court that the state failed to show probable cause in the four days of testimony and presented only uncorroborated evidence.

Mr. Wegmann said Mr. Russo was dominated by Ferrie, who died last month shortly after the Garrison investigation was confirmed.

"He (Russo) lived under the fear of Ferrie," Mr. Wegmann said.

Last night Russo said the four-day hearing had left him exhausted. He admitted he had been hypnotized three times in recent weeks at the request of the district attorney and that he was formerly under psychiatric treatment.

admitted as evidence in the